

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S) : Vanden Heuvel, et al.
SERIAL NO. : 09/555,987
FILED : September 11, 2000
FOR : Methods and Compositions for Treating Diabetes
GROUP ART UNIT : 1617
EXAMINER : Sang Ming Hui

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Mail-Drop: After Final Amendment

Response in Application

In response to the Examiner's office action dated July 30, 2002, Applicants present the following arguments to the Examiner's rejection and requests the Examiner to reconsider the rejection of the instant application. The claims in the application, claims 1-22 remain pending in this application and are not amended pursuant to the presentation of this response. The specification has been previously amended to reflect government rights in the invention as a consequence of providing certain support for research into the present invention.

Applicants assert that the Examiner's rejection of the instant claims under 35 U.S.C. §103 is based upon an impermissible *hindsight* reconstruction of the teachings of the prior art, which is at best, completely *ambiguous*.

Remarks

Claims 1-22 remain pending in the present application. In this response, no amendment to claims 1-22 is made. Applicants consider the claims allowable in their present form. The Examiner maintains his rejection that claims 1-22 are unpatentable as being obvious under 35 U.S.C. §103 as being obvious over the cited references. For the reasons which are presented in the sections which follow, it is respectfully submitted that the instant application is in condition

Amendment/Response
S.N. 09/555,987
P27-0172.fam

-1-